

MINUTES OF THE MEETING OF THE BOARD OF
TRUSTEES OF THE CITY UNIVERSITY OF NEW YORK

HELD

OCTOBER 25, 1982

AT THE GRADUATE SCHOOL AND UNIVERSITY CENTER
33 WEST 42ND STREET—BOROUGH OF MANHATTAN

The Chairperson called the meeting to order at 4:40 P.M.

There were present:

James P. Murphy, Chairperson
Edith B. Everett, Vice Chairperson

Paul P. Baard
Blanche Bernstein
Sylvia Bloom
James A. Cavanagh
Armand D'Angelo

Judah Gribetz
Harold M. Jacobs
Jules Kolodny
Albert V. Maniscalco
Margaret Titone

Henry Wasser, *ex officio*

Henry Hewes, *ex officio*

Martin J. Warmbrand, Secretary of the Board
David B. Rigney, General Counsel and Vice Chancellor for Legal Affairs

Chancellor Joseph S. Murphy
Acting Deputy Chancellor Leon M. Goldstein
President Milton G. Bassin
President Roscoe C. Brown, Jr.
President Saul B. Cohen
President Flora Mancuso Edwards
Acting President Israel Glasser
President Bernard W. Harleston
President Robert L. Hess
President Leonard Lief
Interim University Administrator Denis Paul
President Harold M. Proshansky
President Kurt R. Schmeller

President Ursula Schwerin
President Joel Segall
President Donna E. Shalala
President Joseph Shenker
President Joshua L. Smith
President Edmond Volpe
Sr. Vice Chancellor Julius C.C. Edelstein
Vice Chancellor Richard M. Catalano
Acting Vice Chancellor Leo A. Corbie
Vice Chancellor Donal E. Farley
Vice Chancellor Jerald Posman
Vice Chancellor Leonard O. Roellig
Etta G. Grass, Assistant Secretary of the Board

The absence of Mr. Badillo, Dr. Polk and Mr. Rivera was excused.

A. BIRTHDAYS OF TRUSTEES: The Chairperson announced that Dr. Jacobs was celebrating his 70th birthday and that on October 26 Mr. Maniscalco would celebrate his 75th birthday. He extended the Board's best wishes to both Trustees.

B. COMMENDATIONS: (1) The Chairperson commended Mrs. Bloom on the efficient manner in which she had run the Liberal Party dinner attended by the Chairperson and the Chancellor and thanked her and the other leaders of the Liberal Party for their gracious hospitality.

(2) The Chairperson congratulated the following four members of the University community who participated in and finished the New York City Marathon: Herman Badillo, Roscoe Brown, Jr., Harold Proshansky, and Michael Solomon.

Upon motions duly made, seconded and carried, the following resolutions were adopted or action was taken as noted: (Calendar Nos. 1 through 7)

NO. 1. UNIVERSITY REPORT: RESOLVED, That the University Report for October 25, 1982 (including Addendum Items) be approved as amended as follows:

(a) Items listed in PART E - ERRATA, to be withdrawn or changed as indicated.

EXPLANATION: The University Report consists of annual instructional appointments at a salary of \$15,000 and above and other resolutions of a non-policy nature which require approval by the Board of Trustees.

NO. 2. CHANCELLOR'S REPORT: RESOLVED, That the Chancellor's Report for October 25, 1982 (including Addendum Items) be approved, as amended as follows:

(a) Section BIV. Tuition and Fee Waiver - Queensborough Community College: Item withdrawn.

(b) Items listed in PART E - ERRATA, to be withdrawn or changed as indicated.

EXPLANATION: The Chancellor's Report consists of standard resolutions and actions of a non-policy nature which require approval by the Board of Trustees.

NO. 2X. DEPUTY CHANCELLOR SEARCH COMMITTEE: The Chancellor announced the appointment of the following to a Committee to Search for a Deputy Chancellor: Pres. Leonard Lief, Chairperson; Acting Deputy Chancellor Leon M. Goldstein; Pres. Flora Mancuso Edwards; Pres. Bernard W. Harleston; Pres. Donna E. Shalala; Dr. Albert H. Bowker, ex officio and consultant; one member to be designated by the University Faculty Senate; one member to be designated by the University Student Senate; and Mrs. Hadassah Gold, alumni representative. It is hoped that the search will be completed and the Committee will make a recommendation within six months.

NO. 3. APPROVAL OF MINUTES: RESOLVED, That the minutes of the Board meeting of September 21, 1982 be approved as circulated.

At this point Mr. Gribetz joined the meeting.

NO. 3A. COMMITTEE ON PUBLIC POLICY AND EXTERNAL RELATIONS: Mr. Maniscalco reported on the meeting of the Association of Governing Boards held in Louisville which he and Mr. Cavanagh had attended and spoke particularly of a subsection on public policy and external relations. He informed the Board of the growing realization of the importance of work in this area to colleges and universities throughout the country as well as a great interest in the activities of The City University, and indicated his offer to act as liaison on behalf of the University with other educational institutions on this matter.

NO. 3B. STUDENT EX OFFICIO MEMBER: The Chairperson welcomed Mr. Henry Hewes to his first meeting as student ex officio member. Mr. Hewes is temporarily replacing Mr. Marchant, the Chair of the University Student Senate, in accordance with the bylaws of the University Student Senate and consistent with the overall governance procedures of the University. Mr. Marchant has taken a leave of absence for personal reasons. Mr. Hewes expressed the hope that Mr. Marchant would soon be able to resume his duties.

NO. 3C. GRANT: The Chairperson announced the receipt by Brooklyn College of a grant of \$400,000 from the Mellon Foundation to be used over a period of approximately three years to strengthen the arts and science faculty and curriculum at the College. The Chairperson congratulated President Hess and his colleagues on this singular honor and noteworthy accomplishment.

NO. 4. COMMITTEE ON FACILITIES PLANNING AND MANAGEMENT AND CONTRACT REVIEW: RESOLVED, That the following items be approved:

A. THE COLLEGE OF STATEN ISLAND - SITE EVALUATION:

RESOLVED, That the Board of Trustees accept the final report on Alternative Site Investigation and Evaluation for The College of Staten Island as prepared by Edward Durell Stone Associates.

EXPLANATION: On January 25, 1982, the Board authorized the employment of the indicated firm to assist the University in evaluating three site alternatives to accomplish the consolidation of the St. George and Sunnyside Campuses of the College.

The scope of services included a physical analysis of each site, assessment of the social and economic impact of campus consolidation, the determination of facility requirements, and evaluation of planning criteria for each site selection. The concept development for each site included massing and land use concepts, cost analysis and a final site recommendation.

In summary, the now completed report concluded:

- (1) The Stapleton Site, though a preferred location for the College, was deemed to be not available for at least several years.
- (2) Although the Sunnyside site could provide for the proposed consolidation, such a development plan was not recommended because it would exceed the appropriate capacity of the site, compound current traffic and parking problems and strain relations with the adjacent community.
- (3) The vacant South Beach Site (acquired several years ago for the former Richmond College) was recommended since it most consistently responded positively to the selection criteria for the site evaluation. The site would lend itself to an optimal development plan and schedule. Current operations could continue without interruption and could be phased out in an orderly fashion.

B. BARUCH COLLEGE - EQUIPMENT:

RESOLVED, That the Board of Trustees of The City University of New York approve contract documents, as prepared by the Office of Campus Planning, and authorize Baruch College to advertise, receive and open bids and award contracts to the lowest responsible bidders for the purchase and installation of fixed and moveable equipment for the recently renovated building located at 135 East 22nd Street, in Manhattan, at an estimated cost not to exceed \$616,000 chargeable to the State Capital Construction Fund.

EXPLANATION: The recently renovated building at 135 East 22nd Street will be occupied by most of the Administrative Offices for the college. The existing furniture at 155 East 24th Street, where these offices are presently housed will be left in place to accommodate expanding departments which will be housed at the 155 East 24th Street facility.

C. 1983-84 CAPITAL BUDGET REQUEST:

RESOLVED, That the Board approve a 1983-84 Capital Budget request for \$111.4 million, including \$53.5 million for major new projects (Dormitory Authority-funded) and \$57.9 million for capital rehabilitation and related work (City/State Capital Budget-funded); and be it further

RESOLVED, That the Master Plan for the University be amended as necessary to provide for the capital proposal.

The Capital Budget Request is on file in the Office of the Secretary of the Board.

EXPLANATION: Funding is proposed for five major senior college projects, including planning for an addition and alteration at the Brooklyn campus of New York City Technical College to permit abandonment of its Voorhees campus, planning for a new library at Queens College, alterations to former JHS 218, Queens, to accommodate the CUNY Law School, planning for initial phases of the consolidation of the campuses of The College of Staten Island and site acquisition and planning for completion of the York College Campus. Community College projects requested include acquisition of an annex facility for LaGuardia Community College, master planning and site additions for Hostos Community College, renovations to Tech II Building at Bronx Community College and planning for replacement of temporary buildings at Kingsborough Community College. Each of these projects will permit abandonment of economically obsolete campus facilities or the termination of costly leased space.

Also requested is \$57.9 million for some 200 projects for capital renovations and related projects on the CUNY campuses. The work includes roofing and window replacements, interior and exterior buildings rehabilitation and modernization of mechanical, plumbing and electrical systems.

At this point Mr. Maniscalco and Pres. Volpe left the meeting to attend a YMCA function at which they were to be honored for their distinguished service.

NO. 5. COMMITTEE ON ACADEMIC POLICY, PROGRAM, AND RESEARCH: RESOLVED, That the following items be approved:

A. THE GRADUATE SCHOOL AND UNIVERSITY CENTER - THE ALBERT BILDNER CENTER FOR WESTERN HEMISPHERE STUDIES:

RESOLVED, That the formation of the Albert Bildner Center for Western Hemisphere Studies at The Graduate School and University Center be approved effective September 1982, subject to financial ability.

EXPLANATION: The Albert Bildner Center for Western Hemisphere Studies is to be established in order to bring together groups of experts from the developed and less developed nations of North America, South America and the Caribbean to address issues and problems relating to the political, economic and social development of the hemisphere with a particular emphasis on urban issues. In assembling experts from the private and public sectors from throughout the Americas, the Center will make an important and unique contribution to addressing the critical problems that face nations in the Western Hemisphere. The Center's activities will include: research; sponsorship of conferences, task forces, workshops, symposia and seminars; publication of reports and studies; provision of scholarly services to governmental agencies and foundations; and other activities that will facilitate cultural and economic interaction and cooperation within the Western Hemisphere.

B. THE CITY COLLEGE - INSTITUTE FOR ULTRAFAST SPECTROSCOPY AND LASERS:

RESOLVED, That there be established at The City College of New York an Institute for Ultrafast Spectroscopy and Lasers for the purpose of establishing a research center devoted to the study of the underlying energy transfer processes that occur in nature, using time resolved picosecond and subpicosecond spectroscopy, and to improve time resolved measuring techniques and instrumentation.

EXPLANATION: The Institute will draw upon the resources and expertise of an established laboratory: the Picosecond and Spectroscopy Laboratory of The City College of New York. The main goals of the Institute will be the following:

1. To keep the nation in the forefront of science technology by teaching and training young scientists, and emphasizing new time resolved methods in the art of ultrafast spectroscopy.

2. To study the most fundamental and basic energy transfer processes that occur in solid state physics, chemistry and biology.
3. To provide a forum for experts in solid state physics, chemistry and biology fields to exchange ideas and participate in the design and execution of picosecond time resolved experiments.

The Institute will also include a visiting scholar program to provide for the exchange of ideas and the dissemination of ultrafast spectroscopy techniques into the scientific community.

NO. 6. COMMITTEE ON FISCAL AFFAIRS: RESOLVED, That the following item be approved:

A. 1983-84 OPERATING BUDGET REQUEST:

RESOLVED, That the Chancellor's 1983-84 Operating Budget Request of \$760.5 million be adopted.

EXPLANATION: The Chancellor has recommended to the Board of Trustees an Operating Budget Request for 1983-84 of \$760.5 million, an increase of \$67.0 million or 9.7 percent over the adjusted 1982-83 budget of \$693.5 million.

The senior college portion of the increase accounts for \$53.9 million, or 80.4 percent of the total, while the community college portion constitutes \$13.1 million, or 19.6 percent of the overall increase.

Individually, the senior college request represents a 10.3 percent increase over the base and the community college request is slightly smaller at 7.6 percent.

Part of this increase would provide for full funding of authorized positions, restoration of positions cut in 1982-83, computer equipment requirements, building repairs, management information systems needs and an increase in revenue supported activities.

At the senior college campuses, mandatory increases for inflation and energy, coupled with full funding of authorized positions, make up nearly 40 percent of the increase.

The remaining 60 percent permits programmatic improvements in areas with historical deficiencies such as computers, student services and security. Some new initiatives are also proposed.

For the community colleges, revisions in the state aid formula would reverse the steady decline of State aid as a percentage of the budget and begin an upward trend towards the statutorily recommended level of 40 percent support.

In accordance with discussions with City and State officials, a request for funds to cover the cost of the recently negotiated employees contract will be made separately and at a later date.

A complete copy of the Budget Request is on file in the Office of the Secretary of the Board.

Mr. D'Angelo suggested that in view of the economic situation in this country, any computer equipment to be purchased by the University be American made.

NO. 6X. MEDGAR EVERS COLLEGE: Mr. Cavanagh and President Brown reported on the progress made in the situation at Medgar Evers College. Dean Paul and Dean Watkins were commended for their work at the College.

Vice-Chancellor Rigney read the following letter from the Chancellor to the Chairperson and the Trustees with respect to this matter:

I have been, of course, following developments at Medgar Evers College: through Interim University Administrator Denis Paul, and through Acting Deputy Chancellor Goldstein who, under the instructions of the Board, has remained in the closest touch with the process of regularization and stabilization at the college.

I have carefully reviewed the Board's actions at its special session of July 14, and have been thoroughly briefed on subsequent developments by Board Chairman Murphy, by Chairman Cavanagh of the Board Oversight Committee, and by President Roscoe C. Brown, Jr., Chairman of the Chancellor's Task Force on Medgar Evers College.

I am now prepared to recommend to the Board, on the basis of the information and reports which I have received, that the Board proceed forthwith to reinstate the Medgar Evers governance plan and those Board bylaws which were suspended for Medgar Evers College by the special Board Resolutions of July 14, upon the recommendation of the Board Oversight Committee, and of the Acting Deputy Chancellor.

I recommend further that the Board terminate the Interim University Administrative Team for Medgar Evers, and proceed to authorize the appointment of an Acting President for the term of the Presidential Search. Finally, steps should be taken to establish a search process for a permanent president in the regular manner, as provided by the bylaws of the Board.

When we go into executive session today, I will recommend an individual for the position of Acting President -- I do not mind disclosing in this Memorandum that the individual whom I will recommend to you today is sitting at our common table as Interim University Administrator for Medgar Evers -- Dr. Denis Paul.

The reasons and justifications for these actions at this time need no embellishment in this communication. They are appropriately set forth in the joint memorandum and accompanying documents being submitted to the Board at this time by Trustee James A. Cavanagh and President Roscoe C. Brown, Jr.

I recommend to the Board the approval of the Resolution designed to accomplish the above as prepared and submitted by the Vice-Chancellor for Legal Affairs and Counsel to the Board.

Upon motions duly made, seconded and carried, the following resolution was adopted:

RESOLVED, That effective immediately the suspension of the Governance Plan of Medgar Evers College and the suspension of the University's bylaws with respect to the governance and administration of Medgar Evers College, as provided by the resolution adopted by the Board on July 14, 1982, are hereby terminated; and be it further

RESOLVED, That effective immediately, the Governance Plan of Medgar Evers College and the application of the University's bylaws with respect to the governance and administration of Medgar Evers College are hereby reinstated.

NO. 7. COMMITTEE ON STUDENT AFFAIRS AND SPECIAL PROGRAMS: RESOLVED, That the following item be approved:

A. BYLAW AMENDMENT:

The resolution was moved by Mrs. Everett and seconded by Dr. Jacobs. Following discussion, a motion was made by Mr. Hewes and seconded by Mrs. Titone to table the resolution. The motion failed with Mr. Hewes and Mrs. Titone voting in the affirmative, and the other Trustees voting in the negative. A motion was made, seconded and carried to close debate, with Mr. Hewes and Mrs. Titone voting in the negative.

The following resolution was adopted:

RESOLVED, That Sections 15.8, 15.9a, 15.9b, and 15.10 of the bylaws be amended as follows:

Section 15.8a STUDENT ACTIVITY FEE. The student activity fee is the total of the fees for student government and other student activities. Student activity fees, including student government fees collected by a college of the university shall be deposited in a college central depository and, except where earmarked by the Board, allocated by an approved college association.

Section 15.8b STUDENT ACTIVITY FEES USE. Student activity fee funds shall be allocated and expended only for the following purposes:

1. Extracurricular educational programs;
2. Cultural and social activities;
3. Recreational and athletic programs;
4. Student government;
5. Publications and other media;
6. Assistance to registered student organizations;
7. Community service programs;
8. Enhancement of the college and University environment;
9. Transportation, administration and insurance related to the implementation of these activities.

Section 15.8 [b] c STUDENT GOVERNMENT FEE DEFINED. Student government fee is that portion of the student activity fee levied by resolution of the board which has been established for the support of student government activities. The existing student government fees now in effect shall continue until changed.

Section 15.8 [c] d STUDENT GOVERNMENT ACTIVITY DEFINED. A student government activity is any activity operated by and for the students enrolled at any unit of the university provided, (1) such activity is for the direct benefit of students enrolled at the college, (2) that participation in the activity and the benefit thereof is available to all students enrolled in the unit or student government thereof, and (3) that the activity does not contravene the laws of the city, state or nation, or the published rules, regulations, and orders of the university or the duly established college authorities.

Section 15.9. COLLEGE ASSOCIATION: a. The college association shall have responsibility for oversight, [and] supervision, and approval over all college student activity fee supported budgets and for income generated by auxiliary enterprises, as determined by Board policy. All budgets of college student activity fees [must be approved by the college association.] should be developed by a budget committee and recommended to the college association for approval. In addition, the college association shall have the authority to review and to disapprove any proposed fee expenditure that would likely discredit the college and/or university.

b. A college association shall be considered approved for purposes of this section if its governing documents are approved by the college president and the following requirements are met:

(1) The governing board of the college association is composed of the college president or his/her designee, as chair, plus an equal number of students and teaching faculty/administrators; (2) The college president shall appoint the teaching faculty and administrators. Approximately one half of the appointees of the college presidents shall be teaching faculty; (3) The chair shall vote only in case of a tie; (4) Student members of the governing board shall be elected on a basis which will provide representation as nearly as practicable in proportion to the student activity fee income contributed by various students. An appropriate association charter may provide for membership ex officio on the governing board of the association of student government officers if the officers are elected to office by the appropriate student body; (5) The college association provides for a budget committee composed of at least a majority of students. The budget committee shall be empowered to review all student activity fee budget requests and to prepare and recommend to the college association a proposed budget; [(5)] (6) The governing documents of the college association have been reviewed by the board's general counsel and approved by the board.

c. The college and the college association and student governments shall employ generally accepted accounting and investment procedures in the management of all funds. All funds for support of student activities are to be disbursed only in accordance with approved budgets and be based on written documentation. The requisition for disbursement of funds must contain two signatures; one, the signature of a student with responsibility for the program; the other the signature of an approved representative of the college association.

All revenues generated by student activities funded through student activity fees shall be placed in a college central depository subject to the control of the college association. The application of such revenues to the account of the income generating organization shall require the specific authorization of the college association.

d. The chancellor or his/her designee shall promulgate regulations in a fiscal accountability handbook, to regulate all aspects of the collection, deposit, financial disclosure, accounting procedures, financial payments, documentation, contracts, travel vouchers, investments and surpluses of student activity fees and all other procedural and documentary aspects necessary, as determined by the chancellor or his designee to protect the integrity and accountability of all student activity fee funds.

e. Student government fees shall be allocated by the duly elected student government or each student government where more than one duly elected student government exists, for its own use and for the use of student organizations, as specified in section 15.2 of these bylaws, provided, however, that the allocation is based on a budget approved by the duly elected student government after notice and hearing, subject to the oversight of the college association.

f. Where more than one duly elected student government exists, the college association shall allocate the student government fees to each student government in direct proportion to the amount collected from the members of each student government.

Section 15.10. THE REVIEW AUTHORITY OF COLLEGE PRESIDENTS AND COLLEGE ASSOCIATIONS. a. The president of the college shall have the authority to veto any student activity fee including the student government fee allocation, or expenditure, which in his or her opinion [requires further clarification, is inappropriate, or] contravenes the laws of the city, state, or nation or any bylaw or policy of the university or any policy, regulation, or order of the college. If the college president chooses to exercise a veto [within a reasonable time after being made aware of this action,] with respect to an allocation or expenditure, he or she shall consult with the general counsel and vice chancellor for legal affairs and thereafter communicate his/her decision to the allocating body.

[b. The college association may within ten (10) working days of the presidential veto, by the affirmative vote of two-thirds of the total membership of the governing board, override the presidential veto, except a presidential veto based upon compliance with the laws of the city, state or nation, or bylaws or policy of the university shall not be subject to being overridden.]

b. The president of the college shall have the authority to suspend and send back for further review any student activity fee, including student government activity fee, allocation or expenditure which in his or her opinion is not within the expenditure categories defined in section 15.8(b) of this article. The college association shall within ten (10) days of receiving a proposed allocation or expenditure for further review study it and make a decision with respect to it. An affirmative vote of two-thirds of the members of the governing board of the college association finding that a proposed expenditure or allocation is within an approved expenditure category as defined in section 15.8(b) of this article shall remove the suspension and permit the allocation or expenditure.

NOTE: Matter underlined is new; matter in brackets to be deleted.

Mr. Baard, Dr. Bernstein, Mrs. Bloom, Mr. Cavanagh, Mr. D'Angelo, Mr. Gribetz, Dr. Jacobs, Dr. Kolodny, Mrs. Everett and Mr. Murphy voted YES: Mr. Hewes and Mrs. Titone voted No.

Mr. Hewes stated that the Board has symbolically refused to come to grips with student issues and that he had been prevented from moving amendments to the bylaws. It was pointed out that such amendments would have been out of order but could be taken up by the Board's Committee on Student Affairs and Special Programs.

At this point Dr. Kolodny left the meeting.

Upon motions duly made, seconded and carried, the Board went into executive session to consider a personnel matter with respect to Medgar Evers College.

The meeting was adjourned at 6:22 P.M.

MARTIN J. WARMBRAND
Secretary of the Board

**MINUTES OF THE EXECUTIVE SESSION OF
THE BOARD OF TRUSTEES OF THE CITY UNIVERSITY OF NEW YORK**

HELD

OCTOBER 25, 1982

**AT THE GRADUATE SCHOOL AND UNIVERSITY CENTER
33 WEST 42ND STREET – BOROUGH OF MANHATTAN**

The Chairperson called the executive session to order at 6:25 P.M.

There were present:

**James P. Murphy, Chairperson
Edith B. Everett, Vice Chairperson**

**Paul P. Baard
Blanche Bernstein
Sylvia Bloom
James A. Cavanagh**

**Armand D'Angelo
Judah Gribetz
Harold M. Jacobs
Margaret Titone**

Henry Wasser, ex officio

Henry Hewes, ex officio

**Martin J. Warmbrand, Secretary of the Board
David B. Rigney, General Counsel and Vice-Chancellor for Legal Affairs**

**Chancellor Joseph S. Murphy
Acting Deputy Chancellor Leon M. Goldstein
Senior Vice-Chancellor Julius C.C. Edelstein
President Roscoe C. Brown, Jr.
Etta G. Grass, Assistant Secretary of the Board**

The absence of Mr. Badillo, Dr. Kolodny, Mr. Maniscalco, Dr. Polk, and Mr. Rivera was excused.

Upon motions duly made, seconded and carried, the following resolution was adopted, with the understanding that Dr. Paul is not precluded from being a candidate for the position of President:

NO. 1. ACTING PRESIDENT - MEDGAR EVERS COLLEGE: RESOLVED, That Dr. Denis Paul be appointed Acting President of Medgar Evers College, effective October 25, 1982, at an annual salary of \$62,924, subject to financial ability.

Upon motions duly made, seconded and carried, the executive session was adjourned at 6:37 P.M.

MARTIN J. WARMBRAND
Secretary of the Board